

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICOLE BANKS, as Independent)
Administrator of the estate of Dexter)
Antonio Reed,)
))
Plaintiff,) **No. 24 CV 3271**
))
v.) **Judge Jeffrey I. Cummings**
))
CITY OF CHICAGO, et al.)
))
Defendants.)

ORDER

Initial status hearing held on 7/31/24. For the reasons discussed on the record, the Court orders as follows:

- (1) By 9/3/24, defendants shall respond to plaintiff's outstanding settlement demand. By 9/11/24, the parties should submit a joint status report regarding settlement to the Court's settlement correspondence inbox (Settlement_Correspondence_Cummings@ilnd.uscourts.gov) and shall indicate whether the parties are mutually interested in proceeding with a settlement conference, whether through private mediation, a referral to the assigned Magistrate Judge, or - by agreement of all parties – a conference with this Court.
- (2) The parties shall review the Court's standing order on motions to dismiss (available on the Court's website). As is explained in that order, the parties are advised that plaintiff (as the non-moving party) has a right to amend the complaint once within 21 days of the filing of defendants' motions to dismiss under Federal Rule of Civil Procedure 15(a)(1)(B). If plaintiff intends to exercise that right, plaintiff's amended complaint shall be filed by 8/16/24.
- (3) If plaintiff intends to proceed on the operative complaint, plaintiff's responses to defendants' motions to dismiss [42] [45] (not to exceed 25 pages), and plaintiff's response to defendant City's motion to strike [43] shall be filed by 9/16/24, and defendants' replies in support of the motions to dismiss shall be filed by 10/16/24. No reply in support of the motion to strike shall be filed unless ordered by the Court.
- (4) The City's forthcoming motion to bifurcate shall be filed by 8/19/24, plaintiff shall respond by 9/16/24, and the City shall reply by 10/16/24.
- (5) Defendants' motion to stay all discovery, if any, shall be filed by 9/6/24 and only after fully exhausting all meet and confer efforts regarding that motion.

(6) The Court adopts the parties' proposed schedule [36] as follows: Parties shall exchange Rule 26(a)(1) disclosures by 8/26/24 and shall issue initial written discovery requests by 9/9/24. All fact discovery shall be completed by 7/11/25. Plaintiff's Rule 26(a)(2) disclosures are due 9/10/25 and plaintiff's expert(s) shall be deposed by 10/10/25. Defendants' Rule 26(a)(2) disclosures are due 11/10/25 and defendants' expert(s) shall be deposed by 12/10/25. Motions for leave to amend pleadings shall be filed, as appropriate, no later than 1/7/25. Any motions to modify this schedule must be supported by good cause and the party seeking a modification is instructed to meet and confer to attempt to reach agreement prior to filing a motion for a modification.

(7) Lastly, by 10/2/24, the parties shall file a joint status report setting forth what discovery has been completed, what discovery remains, and whether any discovery disputes require the Court's attention. Status hearing set for 10/18/24 at 9:00 a.m. (to track the case only, no appearance is required).

DATE: July 31, 2024

A handwritten signature in black ink, appearing to read "Jeff Cummings", written over a horizontal line.

Jeffrey I. Cummings
United States District Court Judge